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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 LAURA L. MEDLEY, ) NO. CV 08-4218-DOC(E)  
12 Plaintiff, )  
13 v. ) ORDER ADOPTING FINDINGS,  
14 DEPUTY LUTHER, ) CONCLUSIONS AND RECOMMENDATIONS  
15 Defendant. ) OF UNITED STATES MAGISTRATE JUDGE  
16 \_\_\_\_\_ )  
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18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition,  
19 all of the records herein and the attached Report and Recommendation of  
20 United States Magistrate Judge. The Court approves and adopts the  
21 Magistrate Judge's Report and Recommendation.  
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23 IT IS ORDERED that: (1) the Complaint and action are dismissed  
24 without prejudice for failure to exhaust available administrative  
25 remedies; (2) Defendant's Motion to Dismiss is otherwise denied without  
26 prejudice as moot; and (3) Defendant's Vexatious Litigant Motion is  
27 denied without prejudice as moot.  
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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order,  
2 the Magistrate Judge's Report and Recommendation and the Judgment  
3 herein by United States mail on Plaintiff and counsel for Defendant.  
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5 LET JUDGMENT BE ENTERED ACCORDINGLY.  
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7 DATED: December 2, 2008.  
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11 DAVID O. CARTER  
12 UNITED STATES DISTRICT JUDGE  
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